

**CPAC Short-Term Discussion / Decision Areas**  
**9 December 2002**

**Transportation Issues and Initiatives**

**1. Support Public Transportation**

- Are there legislative changes needed to use a portion of the gas tax to support public transportation?
- Are there legislative changes needed to permit local reimbursement for using public transit to bus some students to school?

**Building and Rehabilitation Code**

- 1. Reconsider proposals in support of a state-wide building and rehab code or the mechanisms to encourage local adoption of a code**, building on the experiences and recommendations of the Maine Building Rehabilitation Code Advisory Council and obstacles to implementing a statewide building rehabilitation code.
- Endorse other legislative proposals of a state-wide building code with the inclusion of a rehab code.
  - Identify incentives that can be used to encourage local adoption of a rehabilitation code to complement existing local building codes (several incentives included in the MBRC final report recommendations).

**Rural Preservation Surrounding Growing Communities**

- 1. Investigate opportunities to encourage rural preservation and development in growth areas**
- Identify specific legislative changes that would be necessary to enable the creation of density transfer fees.
  - Consider incentivizing programs that cross municipal boundaries and incentives for thinking and acting regionally, such as infrastructure, economic development, school siting, and natural resource management
  - Reconsider LD 2422, the constitutional amendment to allow the legislature to provide for assessment of property used for commercial fishing at current use.

**NIMBYism, Infill Development, Growth Caps**

- 1. Address concerns raised by LD 796** to address local retroactive building moratoria referenda:
- Consider resubmitting LD 796 for consideration in the 121<sup>st</sup> Legislature.
  - Create opportunities for outreach to raise knowledge about linkages of local policies to quality of life, etc.
- 2. Provide guidance to municipalities regarding implementation of rate of growth ordinances** ("growth caps"):
- Reintroduce LD 2062 to define the parameters under which an individual community may adopt a rate of growth ordinance *or*
  - Propose specific legislative language to direct the State Planning Office to develop criteria rules guiding SPO consistency reviews of rate of growth ordinances and comprehensive plans.

## **Affordable Housing**

1. **Based on the goals of increasing housing opportunities for all Maine residents:**
  - Investigate opportunities to incentivize housing development locally.
  - Incorporate continued outreach to combat “NIMBYism” of affordable housing.
  - Consider legislative approaches that municipalities, developers, and community advocates can support.
  - Finalize Model Ordinances and Technical Assistance for towns and communities to work within existing laws and rules.
  - Re-engage broad stakeholders group.
2. **Tax Increment Financing Opportunities for Residential Development:**
  - Use the TIF statute as a model to create a similar program at the Maine State Housing Authority *or*
  - Propose specific legislative changes to existing TIF laws to permit / facilitate use for residential developments.

## **Tax Reform**

1. **Specific Stand-Alone Tax Policy Provisions:** Present stand-alone ideas that can augment any version of overall tax reform, e.g.:
  - Propose specific authorizing legislation for municipal application of differential assessments.
  - Propose specific regionalization incentive (perhaps modeled on tax increment financing concept).
  - Develop residential growth incentive package facilitating development of affordable housing and at least neutralize, if not incentivize educational financing formulas (perhaps including authorization of residential TIFs).
2. **Construct Overall Reform Package or Endorse Aspects of Other Proposals** that are directly related to land use, locational decisions, and community preservation, including:
  - Eco-Eco proposal
  - Chairman Saxl’s Advisory Committee on Tax Reform Recommendations
  - “Chebeague Proposal”
  - MMA Tax Reform Proposal
  - Vermont’s capital-gains like tax changes
3. **Community Preservation Criteria for State Tax Policy:** If a means to apply them to the broader tax discussion can be determined, present a set of criteria by which all tax reform measures should be examined in terms of impact on community preservation issues, e.g.:
  - Relieves service centers of government, non-profit and institutional property tax burden.
  - Protects year-round &/or long-term property owners from tax assessment impacts of rapidly escalating property values.
  - Encourages investment in growth areas of declining rural communities.
  - Encourages investment in service centers.
  - Provides incentives for regional tax base sharing and land use management.
  - Authorizes differential application of local tax assessment based on locational considerations.

### **Other Issues to Watch During the Upcoming Session**

1. **School Construction Rules** (related to community preservation and walkable neighborhoods)
2. **Storm Water Rules** (related to unintended consequences and discouraging density)
3. **Contractor Certification** (related to building and rehab code)
4. **Access Management** (if new rules are challenged)